

SEP 15 2006

Appn. Number 10/826,824 Aguirre-Aoki Art Unit 3751

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Prior art Treadway, Ziporyn, Shackitt are inoperative which further supports that they need a more practical design to be put into general use. Shakkit, Treadway and Ziporyn are dated and are nowhere to be found in the general population of modern society.

**Non-obviousness**

Although the cited prior art produced some utility, it failed to produce a creative, practical, stylish, ergonomic, convenient and cost effective way to restrain tether when not in use. Applicants' superior method for restraining tether when not in use, although a creatively simple solution, is not an obvious one. Nor is it an obvious development of prior art, all of which focused on providing relatively elaborate mechanical solutions to the restraint of tether when not in use.

**Lack of Implementation**

Inconvenient and repetitive loss of writing instruments is a long-felt problem, which has not, up until this point, been solved. Although the cited prior art has some utility, it is too obtrusive, heavy and impractical to wear. Prior art has failed to produce a desired method for restraint of tether.

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